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Attorneys for Plaintiffs and Counter-Defendants  
 NEO4J, INC. and NEO4J SWEDEN AB

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NEO4J, INC., a Delaware corporation, and  
 NEO4J SWEDEN AB, a Swedish  
 corporation,

Plaintiffs,

v.

PURETHINK LLC, a Delaware limited  
 liability company, IGOV INC., a Virginia  
 corporation, and JOHN MARK SUHY, an  
 individual,

Defendants.

CASE NO. 5:18-CV-07182-EJD

**DECLARATION OF PHILIP RATHLE IN  
 SUPPORT OF DEFENDANTS'  
 ADMINISTRATIVE MOTION TO FILE  
 EXHIBITS UNDER SEAL**

[CIVIL L.R. 79-5(d)(1)(A)]

AND RELATED COUNTERCLAIM.

NEO4J, INC., a Delaware corporation, and  
 NEO4J SWEDEN AB, a Swedish  
 corporation,

Plaintiffs,

v.

GRAPH FOUNDATION, INC., an Ohio  
 corporation, GRAPHGRID, INC., an Ohio  
 corporation, and ATOMRAIN INC., a  
 Nevada corporation,

Defendants.

CASE NO. 5:19-CV-06226-EJD

1 I, Philip Rathle, declare as follows:

2 1. I am the Vice President of Products at Neo4j, Inc. (“Neo4j USA”). I have held that  
3 position since December 2013; and prior to that, worked in a similar position as Senior Director of  
4 Products at Neo4j USA, beginning May 2012. I am responsible for product management of the  
5 Neo4j product portfolio, which includes the Neo4j® graph database platform (“Neo4j® Platform”).  
6 My responsibilities include product strategy and product roadmap, including specifying what  
7 features are to be built in successive versions of the Neo4j® Platform, as well as the design and  
8 behaviors of those features. I and my team work closely the Neo4j Product Engineering team, who  
9 are responsible for building and testing each successive version of the Neo4j® Platform, and who  
10 comprise of over 100 engineers primarily employed by Neo4j Sweden AB.

11 2. I submit this declaration in response to Defendants and Counterclaimants’  
12 Administrative Motion to File Exhibits Designated by Opposing Side as Highly Confidential-  
13 Attorneys’ Eyes Only and Confidential Under Protective Order. The facts stated herein are based  
14 on my personal knowledge, except with respect to those matters stated to be on information and  
15 belief, and as to those matters, I believe them to be true. If called upon to testify as a witness in  
16 this matter, I could and would do so competently.

17 3. I have reviewed the following exhibits to the Declaration of Adron G. Beene in  
18 Support of Defendants Consolidated Opposition and Motion For Summary Judgment (“Beene  
19 Declaration”), which either contain Plaintiffs’ highly confidential, commercially sensitive business  
20 information, or confidential, commercially sensitive business information:

21 (a) **Exhibit 1** to the Beene Declaration is a highly confidential Amended and  
22 Restated License Agreement between Neo4j, Inc. and Neo4j Sweden AB. This intercompany  
23 agreement contains highly confidential and proprietary information relating to the business and  
24 financial relationship between Neo4j, Inc., and its wholly-owned subsidiary, Neo4j Sweden AB.  
25 Neo4j Inc. is a privately held company and does not publically disclose its internal financial or  
26 business operations information, or in particular this agreement. It also limits access of this  
27 agreement and internal business and financial information on a “need-to-know basis” to a small  
28 number of high-level employees of Neo4j, Inc. and Neo4j Sweden AB, and limits its disclosure

1 subject to a non-disclosure/confidentiality agreement. I believe that the public disclosure of this  
 2 information would substantially harm our competitive standing in the marketplace, provide  
 3 competitors with information that could be used to obtain a competitive advantage over Neo4j, Inc.  
 4 by obtaining insight into the financial condition of Neo4j, Inc. and Neo4j Sweden AB, as well as  
 5 the profitability of their software business.

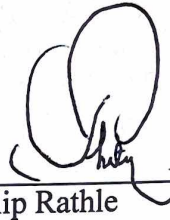
6 (b) **Exhibit 2** to the Beene Declaration is a highly confidential report of royalties  
 7 paid by Neo4j, Inc. to Neo4j Sweden under the Amended and Restated License Agreement attached  
 8 as Exhibit 1. This report contains highly confidential and proprietary financial information relating  
 9 to the business and financial relationship between Neo4j, Inc., and its wholly-owned subsidiary,  
 10 Neo4j Sweden AB, including cost of goods and royalty payments based thereon. Neo4j Inc. is a  
 11 privately held company and does not publically disclose its internal financial information, or in  
 12 particular the amount of royalties paid or costs of its goods sold. It also limits access of this internal  
 13 financial information on a “need-to-know basis” to a small number of high-level employees of  
 14 Neo4j, Inc. and Neo4j Sweden AB, and limits its disclosure subject to a non-  
 15 disclosure/confidentiality agreement. I believe that the public disclosure of this information would  
 16 substantially harm our competitive standing in the marketplace, provide competitors with  
 17 information that could be used to obtain a competitive advantage over Neo4j, Inc. by obtaining  
 18 insight into the financial condition of Neo4j, Inc. and Neo4j Sweden AB, as well as the profitability  
 19 of their software business.

20 (c) **Exhibit 7** to the Beene Declaration is an October 2016 email exchange  
 21 between Jason Zagalsky and David Mohr, both employees of Neo4j, Inc. at that time. This email  
 22 contains confidential and proprietary information that relates to Neo4j, Inc.’s business model and  
 23 strategy of obtaining government contracts for the Neo4j® Platform. It also contains confidential  
 24 information pertaining to Neo4j, Inc.’s licensing strategy. I believe that the disclosure of this  
 25 information would substantially harm our competitive standing in the marketplace, provide  
 26 competitors with information that could be used to obtain a competitive advantage over Neo4j, Inc.  
 27 and damage Neo4j, Inc.’s actual and potential customer relationships.

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1           4. All of the documents and excerpts discussed above contain information that is highly  
2 confidential and competitively sensitive. Neo4j, Inc. takes significant precautions to ensure that  
3 this type of information is not publicly disclosed.

4           I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct, and that this declaration was executed on this 19th day of January  
6 2021, at San Mateo, California

7  
8   
Philip Rathle